

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES E. BUCKINGHAM,	}	
Petitioner,		
v.		Civil Action No. 06-124 Erie
MARILYN BROOKS, et al.,		
Respondents.	}	

**MEMORANDUM ORDER**

This petition for writ of habeas corpus was received by the Clerk of Court on May 24, 2006 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on May 26, 2006 recommended that the petition for writ of habeas corpus be transferred to the Eastern District of Pennsylvania. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at SCI-Albion where he is incarcerated, and on Respondent. Petitioner has filed no objections to Magistrate Judge Baxter's Report and Recommendation. After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 16<sup>th</sup> day of June, 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus be TRANSFERRED to the U.S. District Court for the Eastern District of Pennsylvania.

The Report and Recommendation of Magistrate Judge Baxter, filed on May 24, 2006 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge